

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1807 of 2018

In
Civil Writ Jurisdiction Case No.6168 of 2018

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1. The State Of Bihar
 2. The Chief Secretary, Government of Bihar, Patna.
 3. The Principal Secretary, General Administration Department, Govt. of Bihar, Patna.
 4. The Additional Secretary of Govt., General Administration Department, Govt. of Bihar, Patna.

... .. Appellant/s

Versus

Mrinal Kanti Son of Late Chandra Mouli Mishra Resident of Mohalla new Gosai Tola, Gola Road, Danapur, Ward no. 20, Near Dokhan Ram D.A.V. School, P.s. Dnapur, Distt. patna.

... .. Respondent/s

Appearance :

For the Appellant/s :

For the Respondent/s : Mr.Maya Shankar Mishra, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 27-08-2019 No one appears to press this appeal on behalf of the State.

Shri Rajendra Naryan, learned senior counsel, is present for the respondent-petitioner.

From the facts as disclosed in the impugned judgement, we find that the learned Single Judge has drawn the presumption of a civil death in terms of Section 108 of the Indian Evidence Act for extending the benefit of compassionate appointment on the ground that this presumption has already



been noted in the earlier round of litigation in C.W.J.C. No.1544 of 2002. Taking aid of other judgements in support thereof, the learned Single Judge has proceeded to issue a direction extending the benefit of compassionate appointment to the respondent-petitioner.

Since no one appears to prosecute the appeal, the same is dismissed for want of prosecution.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

K.C.Jha/-

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